

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
APPELLATE SIDE

WRIT PETITION NO.9055 OF 2003

Swapnil Ashok Patil : Petitioner

V/s.

State of Maharashtra & Ors. : Respondents

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Mr.R.K.Mendadkar for the petitioner.

Mr.C.R.Sonawane, Asstt. Govt. Pleader, for respondent  
nos.1, 2 & 4.

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**CORAM : S.RADHAKRISHNAN &  
S.A.BOBDE, JJ.**

October 11, 2004.

P.C.:

1. Rule, returnable forthwith.

Mr.Sonawane, learned Asstt. Govt. Pleader,  
waives service on behalf of respondent nos.1, 2 & 4.

Heard by consent.

2. By this petition, the petitioner is challenging the  
order dated 25.9.2003 passed by the Caste Certificate  
Scrutiny Committee, Konkan Division, Mumbai. It appears  
that the said order was passed by the said Committee

without affording a personal hearing to the petitioner which was expressly demanded by the petitioner. Under these circumstances, only on this limited ground, without going into the merits and demerits of the matter, we set aside the said order and remand the matter back to the respondent Committee to afford a personal hearing to the petitioner and decide the matter, in accordance with law, as expeditiously as possible and preferably within a period of four months from the date the parties appear before the Committee. The learned counsel for the petitioner states that the petitioner will appear before respondent no.2 Committee on 29.10.2004 to enable the Committee to fix the schedule of hearing. Needless to say that all contentions raised by the parties are expressly kept open.

3. The rule is made absolute in the aforesaid terms.

Sd/-

(S. RADHAKRISHNAN, J.)

Sd/-

(S.A. BOBDE, J.)